

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

UNITED STATES OF AMERICA,

Plaintiff, : Case No. 3:14-cr-120(1)  
Also Civil Case No. 3:15-cv-268

-vs-

JOSHUA ANTHONY PETROSINO,

District Judge Timothy S. Black  
Magistrate Judge Michael R. Merz

Defendant. :

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**ORDER ADOPTING SUPPLEMENTAL REPORT AND RECOMMENDATIONS**

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The Court has reviewed the Supplemental Report and Recommendations of United States Magistrate Judge Michael R. Merz (ECF No. 53), to whom this case was referred pursuant to 28 U.S.C. § 636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, and for good cause shown upon the Court's de novo review, hereby ADOPTS said Supplemental Report and Recommendations.

Accordingly, it is hereby ORDERED that Defendant's Motion to Vacate under 28 U.S.C. § 2255 (ECF No. 39) is DENIED. Defendant is DENIED any requested certificate of appealability and the Court hereby certifies to the United States Court of Appeals that an appeal would be objectively frivolous and therefore should not be permitted to proceed in forma pauperis.

April 22, 2016.



Timothy S. Black  
United States District Judge